

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

DEMETRIUS BROWN,)
Plaintiff,)
)
)
)
v.) Civil Action No. 04-379E
)
U.S. JUSTICE DEPARTMENT,)
BUREAU OF PRISONS, FCI MCKEAN,)
WARDEN JOHN J. LAMANNA,)
REGIONAL DIRECTOR D. SCOTT)
DODRILL, MEDICAL DIRECTOR)
NEWTON E. KENDIG, DIRECTOR)
HARLEY G. LAPPIN,)
Defendants.)

ORDER

AND NOW, this _____ day of February, 2006,

IT IS HEREBY ORDERED THAT, Plaintiff's MOTION with leave TO
SECOND AMEND COMPLAINT WITH JURISDICTIONAL STATEMENT ADDING INADDI-
TION TO 'FTCA' JURISDICTION, A FEDERAL QUESTION JURISDICTION
AGAINST DEFENDANTS IN THEIR INDIVIDUAL CAPACITIES FOR A "BIVENS
CLAIM" IN VIOLATION OF THE EIGHTH AND FOURTEENTH AMENDMENTS is
GRANTED.

IT IS FURTHER ORDERED THAT, the United States Marshals shall
personally serve Defendants- John J. LaManna, D. Scott Dodrill,
Newton E. Kendig, and Harley G. Lappin by delivering a copy of
the complaint, amended complaint and second amended complaint for
answer.

IT IS FURTHER ORDERED THAT, the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

/s/

cc:United States Marshals
All parties of record